

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 2002 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE D.C.SRIVASTAVA sd/-

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1. Whether Reporters of Local Papers may be allowed
to see the judgements? No

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy
of the judgement? No

4. Whether this case involves a substantial question
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?
No

JIVANLAL MANILAL PARIKH

Versus

KASTURCHAND RAICHAND RUPERA

Appearance:

MR DM THAKKAR for Petitioner

MR PM RAVAL for Respondent No. 1

CORAM : MR.JUSTICE D.C.SRIVASTAVA

Date of decision: 23/07/98

ORAL JUDGEMENT

1. This is landlord's revision under Section 29(2) of
the Bombay Rent Act, 1947.

2. Brief facts are that an application for fixation
of standard rent was moved in the trial Court which fixed

Rs.20/- p.m. as standard rent. The revision was preferred against this order of the trial Court and the revisional court allowed the revision and enhanced the standard rent to Rs.30/- p.m. Feeling aggrieved the landlord has preferred this revision.

3. I have heard Shri D.M.Thakkar for the revisionist.

4. This revision is not maintainable under Section 29(2) of the Bombay Rent Act. Aforesaid section will be applicable only against the order which has been passed by the appellate Court and against which no further appeal is provided. It is not an order passed by the appellate Court, but by the revisional court and no second revision under the Bombay Rent Act, 1947 is permissible and maintainable. On the other hand Section 29(3) of the Act provides that revision against the order fixing standard rent can be moved in the District Court and not in the High Court. The revision is thus prima facie not maintainable. Hence the merits of the revision cannot be entertained into.

The revision is dismissed as not maintainable. No order as to costs.

sd/-

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